




<b>INTERNAL MANAGEMENT POLICY &amp; PROCEDURE</b>	<b>SECTION NUMBER</b>  <b>01-145</b>	<b>PAGE NUMBER</b>  <b>1 of 8</b>
	<b>CHAPTER &amp; SUBJECT:</b>  <b>ADMINISTRATION: Media and Public Access</b>	
<b>Approved By:</b>    <b>Teresa Williams, Acting Commissioner</b>		<b>Original Date Issued: 06/30/98 (01-145); 05/03/00 (01-146)</b>
		<b>Current Amendment Effective: 01/18/13</b>
		<b>Replaces Amendment Issued: 03/25/02</b>

## **POLICY**

Consistent with the restrictions required by each juvenile correctional facility's need for maintaining the safety of staff and the media representatives, the order and security of the facility, and, the preservation of juvenile offenders' right to privacy (4-JCF-6G-03), media representatives shall be provided access to all facilities, during emergency and non-emergency situations consistent with the provisions of this policy and other pertinent policies. Each superintendent shall be responsible to identify the areas in their respective facilities that are accessible to media representatives during both emergency and non-emergency conditions.

Media representatives may use the mail system to request juvenile offender cooperation for interview responses in lieu of face-to-face interviews. Facility staff telephones shall not be made available to juvenile offenders for media interviews. Direct access to individual juvenile offenders by media representatives shall be reviewed on a case-by-case basis. Except as necessary during an emergency situation, juvenile offender initiated correspondence and telephone communication with the media shall not be obstructed.

Media access to juvenile offenders on post-incarceration supervision shall not be restricted or controlled by agency policy or procedures, but media access to community supervision agencies shall require the prior approval of the commissioner or designee. Information and data provided to the media regarding juvenile offenders by any agency staff shall be consistent with applicable federal and state privacy, freedom of information and/or confidentiality statutes.

Access by the public shall be in accordance with procedures promulgated by each facility superintendent. Such access may provide for educational visits or tours, escorted by designated staff, at times which are convenient to and consistent with the efficient operation of the facility and which ensure the safety and security of the staff, juvenile offenders and the general public.

## **DEFINITIONS**

**Public Information Manager:** The central office designee responsible for the overall administration of the agency's public information program.

**Face-to-Face Interview:** An interview of a juvenile offender by news media, which requires the presence of the media interviewer within the facility or the juvenile offender in a media studio or other off-site location.

**Media Representatives:** Persons employed to gather or report news for any media outlet, including but not limited to, newspapers, magazines, news services, television, or radio as recognized by the public information manager.

Juvenile Offender: A person who is in the legal custody/jurisdiction of the commissioner of the Juvenile Justice Authority. This term refers to both facility and community-based juvenile offenders.

## **PROCEDURES**

### **I. Primary Spokespersons**

- A. At central office, the primary spokespersons for the agency are the commissioner and the public information manager.
- B. At each facility, the primary spokesperson is the superintendent or his/her designated public information officer.

### **II. Requests for Media Access to Juvenile Correctional Facilities**

- A. All decisions concerning media requests for access to the juvenile correctional facilities shall be made by the superintendent.
- B. Requests for media access to juvenile correctional facilities shall ordinarily be made at least 36 hours in advance.
  - 1. The superintendent may waive the 36-hour requirement if good cause is shown, and facility operations will not be unduly disrupted or security compromised.
- C. Requests for media access to facilities shall not be made more than 60 days in advance.
- D. Requests initiated by the media shall be in writing, using Media Request for Access to Juvenile Correctional Facility/Photo or Interview and Wavier (Attachment A, Form #01-145-001), or they may be made over the telephone. Those making telephone requests shall complete Attachment A upon arrival at the facility.
  - 1. As the Juvenile Justice Authority does not grant interviews with specific juvenile offenders, except for those rare circumstances where juvenile offenders are designated by the agency to participate in news stories about topics determined appropriate, members of the media shall not ordinarily be approved for interviews with specific juvenile offenders.
  - 2. Media members may request an interview with a juvenile offender or juvenile offenders on a specific topic, and the staff of the affected facility shall endeavor to provide juvenile offenders appropriate for interviews on such topics.
  - 3. Media members may contact a specific juvenile offender in the following manner:
    - a. The media member may write a letter to the juvenile offender, sending it through the standard mail process;
    - b. The letter should:
      - (1) Explain the reporter's/writer's identity;
      - (2) Provide a list of questions the reporter/writer would like the juvenile offender to answer;
      - (3) Ask for a response at the juvenile offender's earliest opportunity; and,
      - (4) Provide a telephone number that may be added to the juvenile offender's approved calling list.

- c. Juvenile offenders shall have the option of responding to the written request. If the juvenile chooses to add the media member to his/her approved calling list the change should be made per provisions of appropriate policy.
  - (1) Written communication between juvenile offenders and the media or telephone communication initiated by juvenile offenders are reasonable alternatives for face-to-face access to the news media and shall not require the superintendent's review or the execution of a Consent and Waiver for Media Access/Interview Form (Attachment A, Form #01-145-001).
  - (2) Juvenile offenders shall not be provided access to staff-assigned facility telephones to accommodate juvenile/media contacts.

### **III. Notification Requirements**

- A. When a media request for access to a facility for purposes other than a face-to-face interview is received, the superintendent shall determine if the public information manager shall be consulted prior to the time that request is acted upon.
  - 1. If the superintendent determines that such consultation is not necessary, the public information manager shall be notified, in writing or by telephone, as soon as is reasonably possible.

### **IV. Decision Making Criteria - Media Access**

- A. The following criteria shall be considered in making a decision to allow media access to areas of a juvenile correctional facility.
  - 1. Whether such access would create a life-threatening situation to juveniles or staff or the media representative, or constitute an invasion of privacy to juvenile offenders;
  - 2. Whether such access would aggravate a crisis or already volatile situation;
  - 3. Whether such access would or likely could cause a disruption of the orderly operation of the facility or the agency; and,
  - 4. Whether there is staff available to brief and escort media representatives.
- B. All media access to juvenile correctional facilities shall be conducted consistent with security procedures established by each facility.

### **V. Interviews, Photographs and Release of Information**

- A. Consent to interview or photograph of a juvenile offender within a facility.
  - 1. JJA personnel shall not authorize media personnel to interview or photograph a juvenile offender within a facility unless the juvenile offender has first executed a Juvenile Offender Consent to be Interviewed by News Media. (Attachment B, Form #01-145-002)
    - a. A copy of the completed/signed form is maintained in the facility juvenile file. (2-1E-07)
  - 2. Outlined below is the process to be followed when a member of the news media requests to interview and/or photograph a juvenile offender within a facility:
    - a. After the superintendent, with input from program staff, determines a specific juvenile offender is appropriate to be interviewed, the juvenile offender's name shall be submitted to the public information manager.

- b. Media shall work with the public information manager throughout the consent and interview process.
  - c. The public information manager and facility case manager for the juvenile offender shall obtain notarized consents as required by the Juvenile Offender Consent to be Interviewed by News Media. (Attachment B, Form #01-145-002)
  - d. Juvenile offenders may only speak about themselves and are not to speak about the identity, social history, or circumstances of any other juvenile offenders.
  - e. JJA reserves the right to be present and audio or videotape any interview.
- B. JJA personnel shall not authorize media personnel to interview a juvenile offender in a community-based service unless the juvenile has first executed a Juvenile Offender Consent to be Interviewed by News Media. (Attachment B, Form #01-145-002)
  - 1. Outlined below is the process to be followed when a member of the news media requests to interview and/or photograph a juvenile offender in a community-based service:
    - a. The community supervision officer must determine whether the juvenile offender's behavior is at an appropriate level and that he/she would be a good candidate for an interview at that time.
      - (1) All consent must be cleared with the community supervision agency director and the JJA public information manager prior to any interviews taking place.
    - b. Media shall work with the community supervision agency director, with approval by the JJA public information manager, throughout the process. The administrative county contact may delegate media contact to the community supervision officer.
    - c. The community supervision officer and community supervision agency director will obtain notarized consents from the juvenile offender, parent or guardian, and attorney as required by the Juvenile offender Consent to be Interviewed by News Media. (Attachment B, Form #01-145-002)
    - d. Juvenile offenders may only speak about themselves and are not to speak about the identity, social history, or circumstances of any other juvenile offenders.
    - e. JJA reserves the right to be present and audio or videotape any interview.
- C. Execution of the Juvenile Offender Consent to be Interviewed by News Media form is not necessary in order for media personnel to photograph a youth/juvenile offender who is in the public domain.
  - 1. Media personnel may be kept at the same distance as members of the general public in order to maintain security and control over the juvenile.
- D. The dissemination of non-criminal history information by staff shall be in accordance with the provisions of appropriate policy.

## **VI. Responding to Media Requests for Information**

- A. All media requests for information will be coordinated by the public information manager in a timely and cooperative manner.
- B. In the absence of the public information manager, his/her designee will be available on weekends, holidays and after normal working hours to assist individuals receiving media inquiries.

## **VII. Responding to Media Requests to Visit Programs and Facilities**

- A. Members of the news media may visit and report on any JJA funded program. In the case of JJA facilities, visits shall be facilitated by the superintendent and the public information manager.
- B. In the case of JJA community-based programs, the director of community-based services shall facilitate visits. The public information manager should be notified prior to the media visit.
- C. Outlined below is the process to be followed when a member of the news media requests to visit a JJA program or facility:
  - 1. The public information manager determines, through discussion with the reporter, the facility or program the reporter wishes to visit.
  - 2. The public information manager determines the most appropriate facility employee to escort the reporter during the visit for the purpose of providing information and answering questions.
  - 3. The public information manager assists the appropriate facility employee in ensuring that there are no conflicts between the media's right to access and the right of each juvenile offender to privacy.
  - 4. To ensure and protect the privacy of juvenile offenders, members of the media must be escorted at all times when visiting a facility.

## **VIII. Request for Information Received by Employee**

- A. When an employee of the JJA is contacted directly by a member of the news media for information, the employee shall refer the reporter to the public information manager.
- B. Outlined below is the process to be followed when a request for information is referred to or received directly by the public information manager.
  - 1. The public information manager determines the type of information sought and determines whether a written open records request is necessary.
  - 2. If the request requires an open records request, then the process outlined in IMPP 01-140, Public Information Program is followed.
  - 3. If the request does not require an open records request, the public information manager determines the most appropriate individual to respond to the inquiry.
  - 4. The public information manager:
    - a. Obtains the information and provides it to the inquirer; or
    - b. Assists the reporter in contacting the appropriate respondent and obtaining the information.

## **RESCIND AND REPLACE**

This policy shall rescind and replace the following IMPP's:

IMPP JJA-01-145, Media Relations

IMPP JJA-01-146, Media Consent to Interview Offenders

## **REPORTS REQUIRED**

None.

**REFERENCES**

IMPP 01-140  
ACA: 2-CO-1E-07; 3C-01  
JCF: 4-JCF-6G-03

**ATTACHMENTS**

Attachment A: Media Request for Access to Juvenile Correctional Facility/Photo or Interview and Waiver, Form #01-145-001, 1 Page.  
Attachment B: Juvenile Offender Consent to be Interviewed by News Media, Form #01-145-002, 1 Page.

**ATTACHMENT A****MEDIA REQUEST FOR ACCESS TO JUVENILE CORRECTIONAL FACILITY/  
PHOTO OR INTERVIEW AND WAIVER**☐ Kansas Juvenile Correctional Complex (KJCC)☐ Larned Juvenile Correctional Facility (LJCF)

REQUEST TIME/DATE: \_\_\_\_\_

I, \_\_\_\_\_, representing \_\_\_\_\_  
 (Name of Person Requesting Access) (Please Print) (Name of Media Firm or Company)  
 \_\_\_\_\_, hereby request access to: (Check One) ☐ KJCC ☐ LJCF

And specifically \_\_\_\_\_ at \_\_\_\_\_  
 (Name of Sections or Persons to Whom Access Will be Made) (Time of Media Entry Desired)

on \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_. I seek to (Please Check) ☐ Interview (and) ☐ Photograph/Video Recorded  
 (Day) (Month) (Year)

the following person(s) or places \_\_\_\_\_  
 (Name of person(s) or place(s) to be photographed or interviewed)

I understand and assume the risk of entering a juvenile correctional facility, and hereby waive any right or claim against juvenile correctional officials for damage to me or to the equipment I carry onto the premises.

I also understand that the policy of the Juvenile Justice Authority is that a juvenile offender may not be interviewed or photographed (including video recorded) unless the juvenile offender has executed a written consent to that action and a waiver of liability. I agree to be bound by that policy and to obtain such written consent prior to conducting such interviews or taking any photographs of a juvenile offender while the juvenile offender is within a juvenile correctional facility.

On behalf of my company and myself, I agree to hold the State of Kansas, Juvenile Justice Authority, its institution/facility/office, and its officers, employees, agents, and successors in office harmless and do release them from any and all liability regarding or resulting from taking or publication of any interview and/or photograph(s), including any interview photographs taken without the juvenile offender's consent, contrary to the policy of the Kansas Juvenile Justice Authority.

\_\_\_\_\_  
Media Representative Signature\_\_\_\_\_  
Witness Signature\_\_\_\_\_  
Date/Time**OFFICIAL USE ONLY****PART A**

The juvenile correctional facility/person receiving the request was \_\_\_\_\_  
 (Name of person receiving the request)

Action taken by superintendent: \_\_\_\_\_

Superintendent's signature: \_\_\_\_\_

JJA public information manager notified \_\_\_\_\_ by \_\_\_\_\_  
 (Time and Date) (Name of person notifying public information manager)

\_\_\_\_\_  
Signature of Officer**PART B**

Media representative \_\_\_\_\_ arrived at \_\_\_\_\_.

Media representative departed the juvenile correctional facility at \_\_\_\_\_.

\_\_\_\_\_  
Signature of Officer

COMMENTS:

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

Form #01-145-002





## EMPLOYEE STATEMENT OF RECEIPT AND ACKNOWLEDGMENT OF IMPP OR FACILITY ORDER

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**SUBJECT:**

☐ **IMPP NUMBER:**

☐ **KJCC FACILITY ORDER NUMBER:**

☐ **LJCF FACILITY ORDER NUMBER:**

**TITLE:**

**EFFECTIVE DATE:**

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I have received one (1) electronic copy of the IMPP or Facility Order as titled above. I acknowledge that I have read and have had the opportunity to ask questions about the policy or Facility Order. I further acknowledge that I understand and agree to comply with the policy or Facility Order.

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NAME (Please Print)

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SIGNATURE

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DATE